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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,636	06/20/2001	Markku Tuohino	NC16144	4536
43829	7590	03/16/2005	EXAMINER	
ROBERT M BAUER ESQ BROWN RAYSMAN MILLSTEIN FELDER & STEINER 900 THIRD AVE NEW YORK, NY 10022			JUNTIMA, NITTAYA	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/885,636	TUOHINO ET AL.
	Examiner	Art Unit
	Nittaya Juntima	2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 20 June 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-27 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-24 is/are allowed.
- 6) Claim(s) 25 and 27 is/are rejected.
- 7) Claim(s) 26 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 June 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/23/04, 12/14/04.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### *Specification*

1. The abstract of the disclosure is objected to because of undue length and second paragraph, i.e. "(Fig. 3)". Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: on page 10, ll 34, "CS" should be changed to "PS."

Appropriate correction is required.

### *Claim Objections*

2. Claims 6, 25, and 26 are objected to because of the following informalities:
  - in claim 6, ll 4, "to" should be inserted following "according;"
  - in claim 25, ll 8, "query" should be changed to "inquiry" for consistency; ll 12, "the" should be changed to "a,"
  - in claim 26, ll 5, "send" should be changed to "sent."

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silver et al. ("Silver") (USPN 6,560,457 B1).

Regarding claim 25, as shown in Fig. 3, Silver teaches a network element (HLR 114) for receiving routing inquiries from and sending responses to a first network element (MSC-O 111) in a circuit switched telecommunications network, said network element (HLR 114) having a signaling connection with a user register (VLR 115) and, said network element (HLR 114) comprising:

Means for receiving a first routing inquiry (a Location request LOCREQ) from the first network element (MSC-O 111), said inquiry including a destination identifier of a called party (a location request must include an identifier of destination MT 130 in order to determine location information associated with the destination MT 130). See col. 6, ll 20-39.

Means for forming and sending a response (a Location Request Return Result locreq) to the first routing inquiry (a Location request LOCREQ), the response comprising routing information (routing information reads on payload portion of the locreq message, i.e. a Temporary Local Directory Number TLDN used for call set up to a MT 130 located in the data network 120 shown in Fig. 2) to the packet switched telecommunications network (data network 120, Fig. 2). See col. 6, ll 40-65.

Means for forming a query message (a Routing request ROUTREQ) for sending to the user register (VLR 115). See col. 6, ll 25-31.

Silver fails to teach means for receiving a second routing inquiry from the first network element.

However, since Figs. 1 and 3 shows the originating MSC-O 111 receives incoming call from PSTN 140 and there are a plurality of MTs 130-133 located in the data network 120 of Fig. 2, therefore, it would have been obvious to one skilled in the art to modify the teaching of Silver to include that means for receiving a second routing inquiry, e.g. another a Location Request Return Result locreq associated with another incoming call, from the first network element (MSC-O 111, Fig. 3). The suggestion/motivation to do so would have been to enable the first network element to establish connections to a plurality of destination mobile terminals located in the data network.

Regarding claim 26, as shown in Fig. 3, Silver further teaches means for allocating, in response to the first routing inquiry (a Location request LOCREQ sent from MSC-O 111 to HLR 114), a new destination identifier (a Temporary Local Directory Number TLDN used in call set up to MT 130) and means for including the new destination identifier to the routing information sent to the first network element (since a TLDN is included in the locreq message sent from HLR 114 to MSC-O 111, col. 6, ll 58-62, therefore, means for allocating the TLDN in the payload portion of locreq message as well as means for including the TLDN to the payload portion of locreq message sent to the MSC-O 111 must be included in the HLR 114).

Regarding claim 27, since the query message (a Routing request ROUTREQ) is sent from the network element (HLR 114) to the user register (VLR 115), col. 6, ll 25-31, it is inherent that means for including the destination identifier, e.g. an identifier of destination MT 130, to the query message sent to the user register must be included in order to determine whose routing information is being requested.

***Allowable Subject Matter***

5. Claims 1-24 are allowed. The prior art alone or in combination fail to teach or make obvious on the following when considered in combination with other limitations in the independent claims 1 and 14: when the call has been returned from the packet switched telecommunications network back to the circuit switched telecommunications network, sending a second routing information query to the second network element, and in response to the second routing information, sending a query message to the user register.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Vo et al. (USPN 6,795,444 B1), disclosing sending a first routing information query including a destination ID, sending a response message including routing information to the packet switched telecommunications network element, and sending a set-up message to the packet switched telecommunications network including the destination ID (Fig. 10, col. 25, ll 10-44).

- Joensuu et al. (USPN 5,878,347), disclosing routing a data signal to a mobile station.  
- Bright et al. (US 2002/0169883 A1), disclosing a multiple protocol HLR and call delivery methods.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima  
March 8, 2005

*NS*

  
RICKY NGO  
PRIMARY EXAMINER  
3/0/05